

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 157**

Citations Affected: IC 4-23-7.1; IC 36-12-6-3.

Synopsis: Library boards. Proposed Conference Committee Report for ESB 157. Authorizes a library board to adopt a resolution allowing money to be disbursed to advertise and promote the programs and services of the library. Provides that with the prior written approval of the library board, claim payments for these expenses may be made in advance of the library board's allowance. Provides that the board of a county contractual library has all the powers and duties of a Class 1 public library board. Eliminates oversight responsibilities over the Indiana cooperative library services authority by the state library and the Indiana library and historical board. **(This conference committee report deletes SECTION 3 of the bill, which would have eliminated the term limit for members of a Class 1 public library board. This report also provides that all county contractual library boards have the powers and duties of a Class 1 public library board, removing the application of this change to the boards of contractual libraries in certain counties.)**

Effective: July 1, 2007.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 157 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert:
- 2 SECTION 1. IC 4-23-7.1-11 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) The board, with
- 4 the advice of the advisory council, shall establish operating standards
- 5 and rules for libraries ~~and library services authorities~~ eligible to receive
- 6 funds, either federal or state, under the provisions of any program for
- 7 which the Indiana state library is the administrator. The Indiana state
- 8 library shall monitor libraries ~~and library services authorities~~ eligible
- 9 to receive funds or receiving funds to ascertain whether or not the
- 10 standards and rules are being met.
- 11 (b) The board, with the advice of the council on library automation
- 12 established under IC 4-23-7-30, shall establish library automation
- 13 standards for libraries. ~~and library service authorities.~~ The Indiana state
- 14 library shall monitor compliance with the standards.
- 15 SECTION 2. IC 4-23-7.1-22 IS AMENDED TO READ AS
- 16 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 22. (a) The Indiana
- 17 state library annually shall collect data from all libraries ~~and library~~
- 18 ~~services authorities~~ in Indiana.
- 19 (b) Each public officer who:
- 20 (1) has in ~~his~~ **the officer's** charge or custody;
- 21 (2) is capable of supplying; or
- 22 (3) is required to collect and compile;

information required by the library and historical department or by the state library shall supply the information promptly at the request of the department or the state library.

SECTION 3. IC 36-12-3-16, AS ADDED BY P.L.1-2005, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 16. (a) The library board may adopt a resolution allowing money to be disbursed under this section for lawful library purposes, **including advertising and promoting the programs and services of the library.**

(b) With the prior written approval of the library board and if the library board has adopted a resolution under subsection (a), claim payments may be made in advance of library board allowance for any of the following types of expenses:

(1) Property or services purchased or leased from the federal government or the federal government's agencies and the state, the state's agencies, or the state's political subdivisions.

(2) Dues, subscriptions, and publications.

(3) License or permit fees.

(4) Insurance premiums.

(5) Utility payments or connection charges.

(6) Federal grant programs where:

(A) advance funding is not prohibited; and

(B) the contracting party posts sufficient security to cover the amount advanced.

(7) Grants of state funds authorized by statute.

(8) Maintenance and service agreements.

(9) Legal retainer fees.

(10) Conference fees.

(11) Expenses related to the educational or professional development of an individual employed by the library board, including:

(A) inservice training;

(B) attending seminars or other special courses of instruction; and

(C) tuition reimbursement;

if the library board determines that the expenditures under this subdivision directly benefit the library.

(12) Leases or rental agreements.

(13) Bond or coupon payments.

(14) Payroll costs.

(15) State, federal, or county taxes.

(16) Expenses that must be paid because of emergency circumstances.

(17) Expenses incurred to advertise and promote the programs and services of the library.

~~(17)~~ **(18)** Other expenses described in a library board resolution.

Each payment of expenses lawfully incurred for library purposes must be supported by a fully itemized invoice or other documentation. The library director must certify to the library board before payment that each claim for payment is true and correct. The certification must be on a form prescribed by the state board of accounts. The library board

1 shall review and allow the claim at the library board's first regular or
2 special meeting following the payment of a claim under this section.

3 (c) Purchases of books, magazines, pamphlets, films, filmstrips,
4 microforms, microfilms, slides, transparencies, phonodiscs,
5 phonotapes, models, art reproductions, and all other forms of library
6 and audiovisual materials are exempt from the restrictions imposed by
7 IC 5-22.

8 (d) The purchase of library automation systems must meet the
9 standards established by the Indiana library and historical board under
10 IC 4-23-7.1-11(b).

11 SECTION 4. IC 36-12-6-3, AS ADDED BY P.L.1-2005, SECTION
12 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
13 2007]: Sec. 3. ~~(a) The county contractual library board has all the~~
14 ~~powers and duties of other library boards under IC 36-12-3. except the~~
15 ~~power to issue bonds under IC 36-12-3-9.~~

16 ~~(b) The county contractual library may not lease under IC 36-12-10.~~

17 SECTION 5. THE FOLLOWING ARE REPEALED [EFFECTIVE
18 JULY 1, 2007]: IC 4-23-7.1-30; IC 4-23-7.1-31.

(Reference is to ESB 157 as reprinted March 28, 2007.)

Conference Committee Report
on
Engrossed Senate Bill 157

Signed by:

Senator Gard
Chairperson

Representative Austin

Senator Deig

Representative Richardson

Senate Conferees

House Conferees